

FILED

JUL 21 2017

Clerk, U.S. District Court
District Of Montana
Helena

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILL CHARLES WILLBANKS

Defendant.

CR 17-05-H-SEH

ORDER

On July 21, 2017, the Court conducted a Competency Hearing in this case. Upon the representations of counsel, the evidence of record, and the report of William D. Stratford, M.D. the Court finds by a clear preponderance of the evidence that Defendant Will Charles Willbanks is suffering from a mental disease or defect rendering him incompetent to the extent he is unable to understand the nature and consequences of the proceedings against him or assist in his defense. The Defendant Will Charles Willbanks is not now competent to stand trial. 18 U.S.C. § 4241.

ORDERED:

1. Defendant Will Charles Willbanks is committed to the custody of the Attorney General.

2. The Attorney General shall hospitalize Defendant Will Charles Willbanks for treatment in a suitable facility for a reasonable period of time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future Defendant Will Charles Willbanks will attain the capacity to permit the trial to proceed.

3. The Attorney General shall provide the Court with a report on Defendant Will Charles Willbanks's mental condition and competency to stand trial no later than four months from the date of commencement of the hospitalization and treatment as ordered.

4. The Defendant is ordered to self-surrender to the United States Marshal on or before 12:00 p.m. on July 23, 2017, for commitment to the custody of the Attorney General.

DATED this 21^{s+} day of July, 2017.


SAM E. HADDON
United States District Judge